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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/757,999

01/16/2004

Dong-ha Chol

1349.1320

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7590

05/17/2006

STAAS & HALSEY LLP

SUITE 700

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WASHINGTON, DC 20005

EXAMINER

JACKSON, ANDRE L

ART UNIT

PAPER NUMBER

3677

DATE MAILED: 05/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/757,999	Applicant(s) CHOL, DONG-HA	
	Examiner Andre' L. Jackson	Art Unit 3677	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 February 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-5,7-14 and 16-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-5,7-14 and 16-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

Claim 1 is objected to because of the following informalities: In line 8, after, “hinge cam”, change the period mark to a semi-colon. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 3-5, 7, 8, 11-14, 16-20 and 22-25 are rejected under 35 U.S.C. 102(e) as being anticipated by USPN 6,684,456 to Lee. Lee discloses a hinge apparatus to open and close a cover (2) of an image forming apparatus, which pivotably connects the cover to a main body (4) of the image forming apparatus, to expose and cover a document glass, the hinge apparatus comprising; a hinge body (113, 126) movably inserted in a first direction into a coupling hole (41) positioned in the main body of the image forming apparatus, and having supporting brackets (127); a hinge cam (135, 116), connected to the cover, and pivotably connected to the supporting brackets; and a pressure device (125, 125', 121) disposed at the hinge body to press the hinge cam; the hinge body is provided with a housing chamber (129); and the pressure device comprises a pusher (121) disposed in the housing chamber, that protrudes from the housing chamber, and a spring (125, 125') disposed within the housing chamber to press the pusher;

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the pusher comprises a locking protrusion (122); the hinge body is provided with a guide slot (171, 172); and the locking protrusion is inserted into the guide slot, and prevents the release of the pusher from the hinge body.

As to claims 3-5, 12, 13, 17, 20 and 24, the hinge body includes a second spring support (132), wherein a first end of the spring engages a first spring support (124) and a second end of the spring engages the second spring support. Moreover, the hinge cam comprises a body portion connected to the cover and a cam part (117) that pivots in close contact with the pressure device. The cam part and each of the supporting brackets are provided with a shaft hole (118, 128) respectively, and the hinge apparatus further comprises a hinge shaft (111) inserted through the respective shaft holes to pivotably connect the cam part to the supporting brackets. The hinge shaft includes at least one groove (112) and the hinge apparatus further includes at least one coupling ring (136) fixed to the groove of the hinge shaft to maintain the position of the shaft with respect to the shaft holes. And as seen in Fig. 6, a center of the hinge shaft is located toward the document glass compared to a pressure central line of the pressure device, where a predetermined distance, to inhibit rotation of the hinge cam, offsets a center of rotation of the hinge shaft.

As to claims 7, 8, 16, 18 and 19, wherein the pusher, which comprises the locking protrusion (122), further includes a second protrusion (122') that is caught by a hooking portion, (concave or grooved undersurface at 171, 172), thereby preventing the release of the hinge body from the coupling hole when the hinge body is moved in a direction opposite the first direction.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 9, 10 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee.

Although Lee does not specifically disclose that the operating components of Lee's hinge apparatus is formed of a plastic resin material, it would have been obvious to one having ordinary skill in the art at the time of applicant's invention was made to form the hinge apparatus of Lee of a plastic resin material, since it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice. Here, it is common knowledge to choose a material, such as a plastic resin, that exhibits sufficient strength, durability, non-abrasiveness and lightweight properties to be incorporated into a hinge apparatus similar to the prior art to provide a long lasting and trouble-free hinge apparatus requiring little or no maintenance of the operating parts.

Response to Applicant's Arguments

In response to applicant's remarks on pages 7 and 8 and applicant's amendment to the claims as expressed in the Amendment filed on February 24, 2006, Lee has been re-applied and interpreted from an alternative viewpoint with a broad but reasonable interpretation. Thus, claims 1, 3-5, 7-14 and 16-25 remain unpatentable over Lee.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andre' L. Jackson whose telephone number is (571) 272-7067. The examiner can normally be reached on Mon. - Fri. (9:30 am - 6 pm).


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy J. Swann can be reached on (571) 272-7075. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

André L. Jackson
Patent Examiner
AU 3677

ALJ


ROBERT J. SANDY
PRIMARY EXAMINER